

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

JOHN P. JOHNSON,

Plaintiff,

v.

BANK OF AMERICA,

Defendant.

§
§
§
§
§
§
§
§

Civil Action No. 5:12-cv-01117-FB-HJB

**DEFENDANT’S UNOPPOSED MOTION TO ENLARGE PAGE LIMIT
FOR ITS RULE 12(B)(6) MOTION TO DISMISS**

NOW COMES Defendant FIA Card Services, N.A. and files this Unopposed Motion to Enlarge Page Limit (the “Motion”):

1. For Defendant’s Rule 12(b)(6) Motion To Dismiss [Docket No. 4], Defendant requests enlargement of the ten (10) page limit under the Local Rules of the Western District of Texas to twenty (20) pages in order to adequately provide supporting facts and authorities.

2. Defendant intends to present its arguments and supporting authorities in the most concise manner possible, and Defendant’s request for an enlargement of the page limit is not made to overly burden the Court or the parties. Enlargement of the page limit as requested by this Motion is necessary to adequately address the deficiencies in Plaintiff’s Complaint.

WHEREFORE, Defendant prays that the Court grant this Motion and for such other relief to which it may be entitled.

Dated: December 26, 2012

Respectfully submitted,

FULBRIGHT & JAWORSKI L.L.P.

/s/ Ronald D. Smith

Ronald D. Smith
State Bar No. 24056344
rsmith@fulbright.com
Blake W. Stribling
State Bar No. 24070691
bstribling@fulbright.com
300 Convent Street, Suite 2100
San Antonio, TX 78205-3792
Telephone: (210) 224-5575
Facsimile: (210) 270-7205

Counsel for Defendant

CERTIFICATE OF CONFERENCE

I hereby certify that counsel for Plaintiff and opposing counsel have conferred concerning the substance of this Motion and that opposing counsel is not opposed to the relief requested.

/s/ Ronald D. Smith

Ronald D. Smith

CERTIFICATE OF SERVICE

I hereby certify that on December 26, 2012, I electronically filed the foregoing with the Clerk of the Court using the ECF system for the Western District of Texas which will send notification of such filing to the following CM/ECF participants:

John P. Johnson, pro se
11006 Clifton Forge
San Antonio, TX 78230
jjohnsonrents@yahoo.com

/s/ Ronald D. Smith

Ronald D. Smith